

RESOLUTION NO. 75528

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING CERTAIN CITY-OWNED PROPERTY LOCATED ADJACENT TO 1800 EVANS LANE AS SURPLUS TO THE NEEDS OF THE CITY, APPROVING AN AGREEMENT TO SELL, AND AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE ALL NECESSARY DOCUMENTS NECESSARY FOR THE TRANSFER OF SUCH PROPERTY TO THE ADJACENT PROPERTY OWNER, EVANS LANE APARTMENTS, L.P.

WHEREAS, Section 4.20.050 of the San Jose Municipal Code authorizes the City Council to declare City-owned real property surplus to the needs of the City and to enter into a private sale of such land for fair market value to adjoining owners; and

WHEREAS, the City owns a parcel of property (APN 455-20-071) as shown on Exhibit "A" attached hereto, located southwest of the Almaden Expressway and Guadalupe 87 Freeway, comprising approximately 2,176 square feet ("Property"); and

WHEREAS, the Property was conveyed to the City by the State of California on December 22, 2008, as a remnant parcel from the Route 87 Guadalupe Freeway corridor construction project; and

WHEREAS, prior to conveyance of ownership of the Property to the City, it was discovered that a portion of the adjacent Evans Lane Apartments improvements were encroaching on the Property; and

WHEREAS, the entire parcel is not needed for nor adaptable to municipal purposes, and the sale thereof would serve the public interest; and

WHEREAS, the fair market value of the subject parcel was determined to be Six Thousand Ninety-Three Dollars (\$6,093); and

WHEREAS, transfer of the City Property to Evans Lane Apartments, L.P., the adjacent property owner, will result in significant public benefits including return of the property to the property tax rolls, and relief of any maintenance responsibilities by the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The Property is not needed for, nor adaptable to, municipal purposes, and the public interest would be served by the sale of such surplus real property; and
2. The Agreement for Sale of Surplus City-Owned Real Property to the adjacent property owners, Evans Lane Apartments, L.P. for a sum of no less than \$6,093.00 is approved; and
3. The Director of General Services is further authorized to execute on behalf of the City all other documents necessary for the transfer of City Property to the adjacent property owners.

ADOPTED this 17th day of August, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

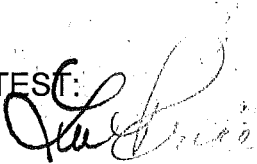
ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk

EXHIBIT "A"

